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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/856,944	05/15/1997	EDUARD HOFFMANN	4100-77CON	3611

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EXAMINER

EICKHOLT, EUGENE H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

08/856,944

Applicant(s)

HOFFMANN ET AL.

Examiner

Eugene H Eickholt

Art Unit

2854

MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

Art Unit: 2854

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobler et al in view of Tittgemeyer and further in view of either Johnson or Dupee et al (newly cited).

Kobler et al has a concave seam weld bead 2. The sleeve form 1 is capable of being mounted using compressed air as set forth in col. 2, line 43. It is described as "thin" at col. 2, line 6 and "metallic" at col. 2, line 9. It can be "aluminum" as claimed in claim 2 and set forth in col. 2, line 12. Tittgemeyer teaches such a sleeve may be of metal and have no seam and be thin as set forth at col. 4, lines 62-65. No gap such as the weld bead 2 of Kobler et al is present on the Tittgemeyer cylindrical surface. Modifying Kobler et al to have a gapless surface like Tittgemeyer is suggested by Johnson who machines off the crown 13 as set forth at page 1, right hand column, lines 65-76 to achieve a "true cylinder". Alternatively, this is also suggested by Dupee et al as set forth at col. 4, lines 14-16 in discussing the core mandrel fabrication to achieve "a nearly perfect cylinder".

Art Unit: 2854

Regarding claims 4 and 6, Tittgemeyer teaches in col. 4, lines 54-58 that a chromium layer 4 is a water carrying layer used to cover a portion of in the copper ink carrying layer 3 to produce an offset printing plate form and in col. 5, lines 33-35 teaches the rubber layer 11.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claim 1 above, and further in view of Fronsom et al.

Kobler et al does not teach the steps of roughing, anodizing followed by photosensitive coating. However, such process steps using aluminum as a base are well known as evidenced by Fronsom et al in col. 2, lines 4-25.

It would have been obvious to coat the metal sleeve made of aluminum of Kobler et al with a material known to carry out an expected result such as the preparation by roughing and anodizing of an aluminum surface followed by coating with a photosensitive material. Motivation would have been the use of such a photosensitive layer for lithographic plate imaging as taught by Fromson et al. Graining is a form of roughing as taught in col. 2, lines 17-23. Examples 2-8 refer to "brush graining anodizing". Col. 1, lines 30-31 which teach light-sensitive coating.

Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claim 1 above, and further in view of Sattrup.

Kobler et al is directed to a sleeve for an offset printing form. Sattrup in the abstract teaches a surface sleeve for rotogravure or offset. Column 2, lines 41-51 teach deposition of an "outer copper layer". Engraving to produce a gravure pattern in the copper layer is taught at col. 1, lines 53-57. It would have been obvious to coat the Sattrup engraved copper layer over the

Art Unit: 2854

Kobler sleeve where photogravure printing taught by Sattrup is the motivationally desired printing choice to achieve the look/feel of a photogravure print..

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claim 1 above, and further in view of Lewis.

Kobler et al does not identify what types of forms are supported by his sleeve. Lewis teaches removable sleeves may be of the flexographic form. See col. 1, lines 9-16 which refers to demountable sleeves as "common" in the flexographic printing art. To select a common flexographic printing form for mounting over the detachable Kobler et al sleeve would have been obvious.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claim 1 above, and further in view of Doublet.

None of the art applied in the rejection of claim 1 teach that a roll of metal is drawn and cut to form the printing plate. Doublet teaches the common and well known use of a roll of metal as supply for cutting blanks to be welded into thin metal tubes. It would have been obvious to supply the cut blanks of Kobler using a supply roll as the source as taught by Doublet as this enhances mass production time in a typical in- line manufacturing step shown by roll 11 in Fig. 1. Tittgemeyer at col. 3, lines 5-6 teaches sizing for large working widths and dimensions which reads on the claim 8 cutting to a size "corresponding to a circumference and breadth of a printing cylinder". Tittgemeyer teaches use of rubber coating 11.

Art Unit: 2854

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claims 1 and 8 above, and further in view of Dekumbis et al.

Kobler et al does not comment on the specific weld material used. However, filler in weld material is well known as taught by the Dekumbis et al use thereof with protective welding gas. See col. 3, lines 56-59. It would have been obvious to weld the Kobler et al bead using conventional filler weld material and protective gas as taught by Dekumbis et al.

Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claims 1 and 8 above, and further in view of Fronsom et al..

Fronsom et al is applied as in the above claim 3 rejection. Kobler et al teaches use of aluminum.

Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claims 1 and 8 above, and further in view of Sattrup.

Sattrup is applied as in the above rejection of claim 5.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art cited above as applied to claims 1 and 8 above, and further in view of Jenkins.

Kobler et al does not teach his metal sleeve may be ceramic coated. Jenkins teaches it is well known to use a ceramic coated roller for ink application rolls wherein col. 3, lines 14-21 teach ceramic coating of a thin walled cylinder with col. 2, lines 25-26 teaching the metal of the cylinder may be of steel, copper, nickel or aluminum. It would have been obvious to one of ordinary skill to have covered the metal sleeve of Kobler et al with spray coated ceramic as taught

Art Unit: 2854

by Jenkins. Motivation may be found in the express teaching of Jenkins that this enables a "wear resistant coating". See col. 2, lines 33-34.

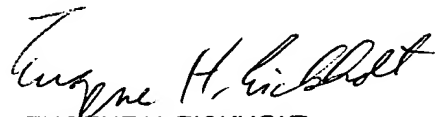
Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A shortened statutory period of 3 months is set to respond.

Eickholt/ek

10/21/03

  
EUGENE H. EICKHOLT  
PRIMARY EXAMINER